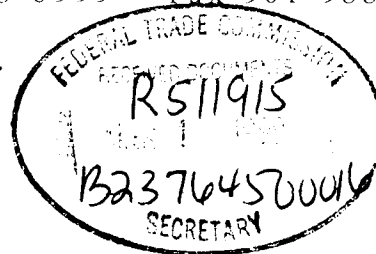


PRESTIGE...EXCEPTIONAL FABRICARE

9420 Georgia Avenue, Silver Spring, MD 20910 301-588-0333 Fax 301-588-7914

February 28, 1999



Federal Trade Commission
Sixth and Pennsylvania Avenue, N. W.
Washington, D. C. 20580
Attn: Constance M. Vecellio, Esq.

Re: FTC Regulation 16 Part 423

Dear Ms. Vecellio:

Since I have been a contributor to the formulation of the fabricare industry position paper submitted to the Commission jointly by the International Fabricare Institute (IFI) and the Neighborhood Cleaners Association - International (NCA-I), I have been in frequent contact with Mary Scalco at IFI who has informed me that FTC remains adamant in its decision to close the official record to general comment on March 1, 1999.

Attached are copies of an ethical code, excerpts from the script for the video "Material Witnesses" and an essay which will appear in my company's Spring '99 newsletter to be distributed in April to our customer base of 3,000. I submit these to you, all of which I wrote, as support for the fabricare industry's position, as an appeal for the record to remain open, and to present my long held philosophical beliefs as basis for the suggestions which follow:

The public workshop is an excellent concept, but it should have been a beginning of dialogue, not an endpoint. One month from the workshop until the general record is closed simply doesn't leave enough time for a dialogue between participants to develop. I suggest that FTC formulate a standing advisory council composed of representatives from major stake holders and interested parties who attended. With fabricare technology undergoing such significant research and development, I foresee a need for ongoing care label review. I visualize a structure for inter-industry and inter-discipline communication, FTC newsletters, committee formulations, all directed at prevention of deceptive acts and practices which, in the largest sense, is much more cost efficient than prosecution after the fact.

I believe that it is essential to secure involvement of the fashion media and the academic institutions which emphasize fashion and textile curricula. Women's Wear Daily is the "bible" of the women's fashion industry. GQ may be the male counterpart; if isn't, a call to AAMA would probably provide an answer. Down the line, I visualize a "Fashion Meets Fabricare" summit in New York, perhaps at the Fashion Institute of Technology, where issues of product serviceability can be explored.

Whatever the outcome of my industry's appeal to keep the record open, I thank you for your efforts these many years. I know you hear many divergent voices and must sometimes feel that you're very much in the "hot seat".

Sincerely,


Edward B. Boorstein

New Cleaning Technologies Kind to Clothing, Allergies, & Ecology

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ON MY SOAPBOX -- CARING ABOUT CARE LABELS

Attention, Consumers: Whether you want to home wash a garment or household article or have them cleaned professionally, you and your drycleaner are entitled by law to see a legible, easy to find care label attached. If the care instructions on the label are followed correctly, the care process should do no harm.

Federal Trade Commission (FTC) Regulation 16 CFR Part 423, The Care Label Rule, requires manufacturers or importers of most clothing and household articles to possess a "reasonable basis" for stating a care practice or practices on a care label. This means that reliance on textbooks, experience or some other secondary information is an acceptable basis for practices recommended. Furthermore, a single care practice on the label is permitted, even if an article can be both washed and drycleaned safely.

The manufacturer or importer is not required to perform any serviceability test before applying a care label.

Is the present system working? On the whole, yes. Many large manufacturers do test. Most manufacturers are knowledgeable and produce serviceable goods. But there are no surveys I know of which have compiled a record of home launderables destroyed or diminished in attractiveness and/or useful life even when care label instructions were followed scrupulously; however, the Analysis Laboratory of the International Fabricare Institute (IFI), a trade association of professional drycleaners, has determined that of the nearly 20,000 articles submitted to them in 1998, 7,485 (or 39%) "self destructed" when cleaned professionally according to care label instructions. Colors changed or ran; shrinkage, stretching or distortion resulted; crisp finishes became limp; buttons and other trims bled or melted.

IFI routinely informs the Federal Trade Commission of these product failures, and when a "critical mass" of evidence of unsubstantiated care labeling builds, under its "deceptive practices" authority, FTC's Enforcement Division does bring actions. This can take a long time and meanwhile, consumers lose valued possessions, retailers - often unable to secure reimbursement from manufacturers for failed merchandise - "eat" returns, and drycleaners, even though handling "accidents waiting to happen", often are blamed by customers because the damages manifested during processing in our shops. I believe that innocents do suffer loss because the Care Label Rule is flawed; it needs fixing, and the fabricare industry has remedial suggestions which merit attention.

A fabricare industry position paper has been crafted after consultation between the executive directors of IFI and the Neighborhood Cleaners Association - International (NCA-I). Serving as advisor and liaison, I also had a hand in writing it. In the position paper, the industry used as a basis for our recommendations the Federal Trade Commission goal outlined in its mission statement:

"The Commission's efforts are directed toward stopping actions that threaten consumers' opportunities to exercise informed choice."

The fabricare industry supports care labeling which describes all appropriate methods of care, based upon knowledge gained by testing samples of all finished articles in their entirety before affixing care labels. The industry supports continual dialogue between parties vitally engaged in the processes of design, manufacturing, distribution and servicing of textile products along with representatives of academia, consumer advocacy and the regulatory agency. We believe that, over time, this dialogue would mature to a stage where compromise and consensus can occur, and the resultant Care Label Rule, although a mandate, will be strengthened by having been derived through collaborative effort; all to the enormous benefit of the consumer.

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We believe that these actions, true to FTC's mission statement, would protect, support and enhance consumers' opportunities to exercise informed choice.

As the Federal Trade Commission is now engaged in a review of the Care Label Rule and has stated that the official record will be closed to general comment as of March 1, 1999, this essay is also an appeal to FTC to permit the record to remain open for a longer period and was submitted to FTC on deadline day.

FOR ALL WHO VALUE TEXTILES IN THEIR LIVES A SET OF BELIEFS . . . A PLEDGE OF RESPONSIBILITY

We designers, importers, manufacturers, distributors, retailers, educators, fashion communicators and fabricare specialists, in order to enhance the value and enjoyment of textile articles created for wear and household use and to foster a climate of cooperation and a commitment to excellence among and between our colleagues, our industries, and the ultimate consumers of our products and services, present this set of beliefs and pledge, in our daily professional conduct, to act within the spirit of their essence:

We believe in, respect, and support, as the law of the land, the basic principles of Federal Trade Commission Rule 16 CFR 423 which, within the concept of implied warranty incumbent upon a seller, requires manufacturers and importers:

To affix on textile articles covered by the regulation, permanent and prominently placed care labels which state clearly, accurately, and positively, a preferred care practice, and to possess prior to sale, reliable evidence through testing or knowledge of tests, that the product and its attachments, trims, and findings were not harmed when cleaned or laundered reasonably often, according to the instruction on the label.

We charge fabricare professionals and the consuming public with the responsibility of heeding care label instructions.

We believe that, given responsible use and competent care, all clothing and household textiles should be serviceable. This general standard applies equally to items which are one-of-a-kind, of limited production, or mass marketed.

We define the term "serviceable" to mean that over the reasonable life expectancy of a properly cared for textile article, dimensions will be stable, colors will remain fast and whites bright, and original hand and body will endure. If an article is known by any seller or service provider to be vulnerable to undesirable changes in any of these properties, we favor providing to the purchaser or client a statement warning of that vulnerability.

We recognize that some textile products will fail to withstand even responsible use and competent care practices. We advocate the examination of these articles by laboratories which adhere to the established testing standards of the textile industry to attempt to ascertain causes and ascribe responsibility for such failure, and to offer, within the scope of their technical expertise, explanation as a basis for problem correction in future production, use, and maintenance.

We believe in responsiveness to client needs and in vendor accountability throughout the continuum from design to ultimate consumption. Therefore, we call for an open merchandise-return-to-vendor policy in cases where laboratory findings attribute failures of utility or serviceability to a particular source of supply or service.

We support, as the preferred method of conflict resolution when vendor policy is unresponsive, the concepts of mediation and arbitration, within a framework of intra-industry and inter-industry cooperation.

We believe that the foundation for ever improving achievements in product and service quality is an open, frequent, non-adversarial exchange of information, by and between all parties involved in textile product creation, distribution, education, maintenance and use. We consider such responsive and responsible communication the shared obligation of all who, individually and interdependently, value textiles in their lives.

CUT TO WIDE, ZOOM TO CU MOSES

MOSES:

The First Demandment: Thou shalt Test. Beyond the requirements of federal law, all who create and maintain textile products, shall in some manner, test to ascertain serviceability.

WIDE SHOT, ALL

The Second Demandment: Thou shalt inform thyself . . . it is common sense.

MS MOSES

The Third Demandment: Thou shalt instruct others . . . it is a duty and a privilege.

The Fourth Demandment: Thou shalt communicate, not as adversaries, but as colleagues, in mutual commitment to excellence.

LIGHTNING AND SMOKE EFFECTS
EMANATE FROM RIGHT WIDE FRAME

SOUND EFFECTS AND MUSIC:

(MUSIC OUT, THUNDER CRACKS)

REMAIN WIDE

MOSES:

Farewell, my enlightened Material Witnesses!

MOSES EXISTS FRAME RIGHT
INTO SMOKE AND LIGHTNING

SOUND EFFECTS:

(THUNDER CRACK)

NARRATOR JUMPS UP FROM HER
KNEELING POSITION AND MOVES
TO CENTER STAGE

NARRATOR:

My sequins . . .

CU SEQUINS

they've been . . . restored!

CUT TO WIDE, ALL GATHER
ROUND NARRATOR, EACH ACTOR
NOW WEARING "CONSUMER" I.D.
CARD

MUSIC:

(AMERICA THE BEAUTIFUL, BACKTIME,
WASHES OVER THEN UNDER)

ALL RECITE:

We pledge allegiance to the principles of the Four Demandments and will, to the best of our abilities, rise to the highest potential of our integrities!

ALL SALUTE IMAGINARY FLAG

AS ALL MARCH OFF, FRAME RIGHT,
ED BOORSTEIN ENTERS FRAME LEFT
AND CAMERA ZOOMS ON HIS
MOVEMENT TO MS, CENTER STAGE

KEY LOWER THIRDS: ED BOORSTEIN,
METROPOLITAN DRYCLEANERS ASSOC.

HEAD TURN TO SECOND CAMERA

ED BOORSTEIN, MCU

HEAD TURN TO FIRST CAMERA, MS

FADE TO BLACK

KEY PRODUCTION CREDITS

FADE TO BLACK

MUSIC:

(SWELLS TO "FROM SEA TO SHINING
SEA," AND ENDS)

ED BOORSTEIN:

Most American made clothing and household articles do just fine in wear and care, but serviceability problems do exist . . . the losses are in millions of dollars annually, and innocent parties are often the losers.

What can be done about it? All who value fabrics in their lives can communicate better: one-on-one, and through trade associations and public interest groups.

Consumers can be aware of serviceability factors in making purchases and be faithful to care labels when doing home laundering.

Professionals in apparel creation and fabricare can utilize the best available technology, and train and motivate staffs to attain the tightest quality control.

Public laws, such as the Federal Trade Commission Care Labeling Act, protect only to the degree that voluntary compliance exists. We can't depend on laws alone. There aren't enough enforcement agents to go around

Ultimately, we are all consumers of one another's products and services. It is in our self interest to do as our actor Moses says, that is, rise to the highest potential of our integrities.